

AMENDMENTS TO THE CLAIMS

1. – 25. (Cancelled)

26. (Previously Presented) The oil-in-water emulsion of claim 27, wherein the organic solvent is selected from the group consisting of an aromatic hydrocarbon, an aliphatic hydrocarbon, a halogenated hydrocarbon, a lower alcohol, an acetate, an ether and a ketone.

27. (Currently Amended) An oil-in-water emulsion comprising a *Bacillus Calmette-Guerin* cell wall skeleton encapsulated in an oil wherein the emulsion is dispersed without any visible crude particles and which have an average fine particle size in the range of 0.1 μ m to 20 μ m, that have a diameter of 100 μ m or more, is negative for agglutination reaction with lectin, and is obtained by the following steps:

- (a) stirring a mixture of a *Bacillus Calmette-Guerin* cell wall skeleton, an oil, and an organic solvent to disperse the *Bacillus Calmette-Guerin* cell wall skeleton in the mixture;
- (b) evaporating off the organic solvent to form an oil wherein the *Bacillus Calmette-Guerin* cell wall skeleton is homogeneously dispersed, or an oil droplet wherein the *Bacillus Calmette-Guerin* cell wall skeleton is encapsulated in the oil; and then,
- (c) adding an aqueous solution containing a surfactant thereto, and emulsifying the mixture.

28. (Previously Presented) The oil-in-water emulsion of claim 27, wherein the organic solvent is ethanol or toluene.

29. (Previously Presented) The oil-in-water emulsion of claim 27 or 28, wherein the oil is squalane.